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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,382	04/01/2004	Markku Vimpari	879A.0022.U1(US)	9369
29683	7590	02/08/2005	EXAMINER	
HARRINGTON & SMITH, LLP 4 RESEARCH DRIVE SHELTON, CT 06484-6212			JAIN, RAJ K	
			ART UNIT	PAPER NUMBER
			2664	

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/816,382	Applicant(s) A VIMPARI, MARKKU	
	Examiner Raj K Jain	Art Unit 2664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 23-26 is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims examined on the merits 1-26

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bontempi et al (US 20020150092A1).

Regarding claims 1, and 8, Bontempi discloses a method for establishing a data transfer connection from a first device (MS1) (see Fig 2) utilizing SIP protocol to a second device over a telecommunication network comprising at least two sub-networks from which at least one is unable to utilize SIP protocol (MS1 to MS2 using RTP protocol),

in which method a tunnel utilizing TCP protocol is established by a client application residing in a first sub-network, where to the first device has established a connection utilizing SIP protocol (see Para 0024, 0041, 0054, Figs 1, 2 and 6, within the GPRS network, packets are encapsulated at an originating GPRS node and encapsulated at the destination GPRS node. This encapsulation/decapsulation at the IP level between the SGSN and the GGSN is called "tunneling". A common GPRS Tunnel Protocol (GTP) enables different underlying packet data protocols to be employed even

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if those protocols are not supported by all of the SGSNs. In the first device MS1 establishes connection with MS2 via RTP protocol stack).;

in which method said tunnel established over sub-networks not supporting SIP protocol is terminated to a server application in a second sub-network supporting SIP protocol, which server application has a permanent IP address or DNS name, where to is connected said second device, which utilizes SIP protocol (see Fig 7, Para 0067, 0070, 0071, the second example provides connection with MS1 to MS3 via SIP protocol process and permanent IP addressing and DNS domain query).

Bontempi fails to disclose the invention using sub-networks, but rather provides a single one-to-one connection. One skilled in the art can appreciate that in cellular and other communications networks there are generally more than one users which may be mobile, to the extent that they traverse other cells or networks within a large serving area. These other cells can be construed to be "sub-networks" within the larger network, and therefore the application would easily be extendable over the sub-networks as well. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to extend Bontempi's invention to include sub-networks that may also incorporate internet, intranet and Home LANs.

Claims 2-7, and 9-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bontempi et al (US 20020150092A1) as applied to claims 1 and 8 above, and further in view of Jones et al (US 20030177384A1).

Regarding claims 2 and 9, Bontempi discloses a method for establishing a data transfer connection from a first device (MS1) (see Fig 2) utilizing SIP protocol to a second device over a telecommunication network comprising at least two sub-networks from which at least one is unable to utilize SIP protocol (MS1 to MS2 using RTP protocol),

Bontempi fails to disclose a split proxy server with tunneling.

Jones discloses a split proxy server 140 with tunneling (see Fig 1, Para 0010, 0012, 0022).

A split proxy server helps to provide a smooth communications interface between internet clients and intranet clients. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a split proxy server from Jones within Bontempi with tunneling that can bypass the system firewall allowing for a smooth communications interface between public and private clients.

Regarding claims 3, 6, 16, and 20 Jones discloses different communications protocol (see Para 0022).

Regarding claims 4 and 14, Bontempi discloses SIP application as VoIP application (see Para 0004).

Regarding claims 5 and 15, Bontempi discloses SIP application as PoC application in terms of alternate routing of RTP protocol process (see Fig 2, Para 0008).

Regarding claims 7, 17 and 21, Bontempi discloses use of RTP protocol (see Para 0036).

Regarding claims 10-13, Jones discloses an split proxy both at the public network 180 and private network 140, the software applications would inherently be embedded at private and public networks points as required as well (see Para 0036-0038).

Allowable Subject Matter

Claims 23-26 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raj Jain whose telephone number is 571-272-3145. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax phone number for the organization where this application is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

RJ
January 28, 2005

A handwritten signature in black ink, appearing to read 'W. Chin', with a long horizontal line extending to the right.